

respectfully submitted that the new drawing will overcome the objection.

Amendments have been made to claims 1, 4 and 5 to overcome the 35 U.S.C. 112, second paragraph, rejection concerning use of the word "may", and the words "the longitudinal projection". With respect to claim 5, lines 4 and 5, the recited "longitudinal projection of said lips" pertains to the space that would be occupied if the lips were extended in the longitudinal direction thereof. As set forth in claim 5, "said openings" are being referred to as being in alignment with this longitudinal projection of the lips so as to permit the device to be operatively mounted upon the track.

With respect to claim 5, line 5, as the claim indicates, it is "said openings" that are in alignment with said lip ends and the extended longitudinal projection of said lips.

With respect to claim 7, line 3, "said openings" are the same openings that are recited in claim 4, line 10, and it is respectfully submitted that claim 7 is clear in this respect in that in claim 7, lines 3 and 4, it is clearly stated that "said notches defining said openings in alignment with said first lip". The reference to "said openings", of course, refers to the antecedent in claim 4, line 10.

As emphasized in the Abstract and specification, the invention is directed to a winch which is slidably received within tracks

having lips formed thereon as at 34. The prior art construction for this type of winch is shown in FIGS. 1 and 2 wherein the winch primary components consist of four parts, base plates 12 and 14 and side walls 16, and the side walls are welded to the base plates. The invention reduces the previous 4-part assembly to a single piece of metal, i.e. the blank 44 shown in FIG. 5. By forming the blank 44 in the manner described, and bending the blank along the lines 70, homogeneous base plate portions 46 are produced, as well as legs 48. The practice of the invention significantly reduces the cost of the winch over the prior art, and results in greater strength, and a more dependable winch in that the possibility of improper welds is eliminated. It is respectfully submitted that the concepts of the invention are directed to a significant advance in the art.

Claims 1 - 7 have been rejected under 35 U.S.C. § 103(a) as unpatentable over the prior art shown in FIGS. 1 and 2 and the '619 French patent. Reconsideration of this rejection is respectfully requested in view of the above comments and those set below.

The French '619 patent is directed to a web tensioner which is connected to a flexible web, rather than a rigid track. The '619 patent has a pair of openings 7 defined therein by piercing and rolling back the metal at edges 6. This rolling back of the pierced edges protects the web extending therethrough from abrasion and damage, but the web tensioner of the French patent cannot be

mounted upon a track or associated with the lips of a track. The '619 patent does not have openings formed in the side walls thereof as there is no need for such openings.

The trench provides the close association
The only pertinency of the '619 patent to the inventive concept is that a web tensioner is shown wherein a "base plate" 2 and side walls 1 are formed of a common blank. However, considerable ingenuity was exercised by the inventor in forming the blank 44 to permit the winch to be able to cooperate with a rigid track. The applicant's invention is broader than merely making the base plate and side walls of a single piece as the blank 44 must also be formed and configured in such a manner as to permit the winch to be able to slide upon the track 34 in the described manner.

The '619 patent merely shows a stamped web tensioner having openings 7 for accommodating a web and the notches and openings utilized with the invention are not required, and the prior art disclosure of FIGS. 1 and 2 does not suggest how the base plate and side walls could be formed of a single piece of metal even if combined with the '619 patent.

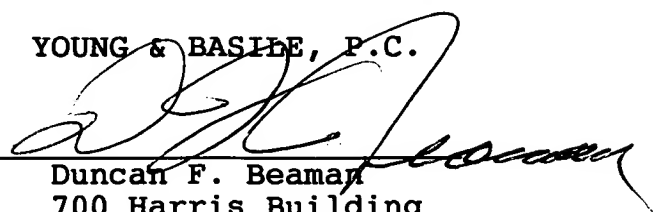
In the rejection, the Examiner twice acknowledges that the prior art does not disclose significant features of the invention, and in view of the above amendments and remarks, reconsideration is

respectfully requested.

Respectfully submitted,

YOUNG & BASILE, P.C.

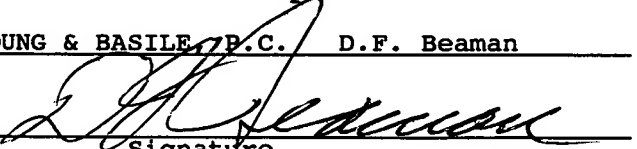
By


Duncan F. Beaman
700 Harris Building
Jackson, MI 49201
(517) 787-4511

I hereby certify that this correspondence
is being deposited with the United States
Postal Service as first class mail in an
envelope addressed to: Assistant Commissioner
for Patents, Washington, D.C. 20231, on

5-12-97
Date of Deposit

YOUNG & BASILE, P.C. D.F. Beaman


Signature

5-12-97
Date of Signature